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Regional Solutions

Refugees



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C N T E N T S

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Cover: Nicaraguan refugees on their pineapple farm in Hoetar Norte, Costa Rica.
Photo: UNHCR - R. Bermond



Regional Solutions

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Editor's note: This issue of "Refugees" focuses on the growing international trend toward comprehensive or regional solutions to refugee problems. This topic will also be examined in UNHCR's next biennial report, "The State of the World's Refugees: The Search for Solutions", to be published by Oxford University Press in November 1995.



Hmong returnees arriving from Thailand at the river port of Luang Prabang, Laos, to take part in a group settlement program.

Package deals

Although their efforts to date have not always been generous or successful, regional bodies are likely to play an increasingly significant role in responding to current and future refugee problems around the world.

Several regional organizations and *ad hoc* groupings of regional actors have already made efforts to intervene in a number of refugee problems. Usually, these efforts occur either when the region itself has rejected the solution advanced by the international community, or when the international community takes little or no action to achieve a solution.

The regional response is to put forward its own plan of action to deal with the refugee problem. Sometimes, as in Central America and South East Asia, regional organizations have led the effort in close partnership with UNHCR. In other ►

► cases, such as Cambodia, Liberia or Rwanda, regional organizations may cooperate with U.N. peacekeeping missions that include UNHCR.

Unfortunately, the term "regional" is very poorly defined. The U.N. Charter deals with "Regional Arrangements" without ever defining them. In 1945, the only regional institutions were the Arab League and the Organization of American States (OAS), so the imprecision of drafters permitted a great deal of flexibility for the development of regional approaches to regional problems.

There has been an explosion of regional arrangements over the years. Some are formal multilateral regional organizations such as the Organization of African Unity (OAU), the Economic Community of West African States (ECOWAS), the Association of South East Asian Nations (ASEAN), the Organization of American States (OAS), the North Atlantic Treaty Organization (NATO), the Organization for Security and Cooperation in Europe (OSCE), and the Commonwealth of Independent States (CIS).

Others are *ad hoc* regional groupings formed for a limited purpose and duration such as the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA), the International Conference on Central American Refugees (CIREFCA), and the Regional Conference of Central African Heads of State.

Although "region" is undefined, not just any grouping of a few neighbors can be considered a regional arrangement. While remaining imprecise, some of the characteristics of a region are:

- three or more geographically proximate states;
- mutual dependence arising from common interests;
- defined by an *ad hoc* problem, such as the presence of refugees;
- and interrelated units whose activities are significant determinants of each other's policies.

Closely related to regional efforts, but distinct from them, is the idea of a comprehensive response to refugee problems. A comprehensive

approach is one in which a variety of different but concerted measures are brought to bear on a refugee situation. The "package" of measures needed to achieve a solution can include temporary asylum, *non-refoulement*, voluntary repatriation with UNHCR monitoring in the country of origin, as well as assistance for reintegration and perhaps local integration or resettlement of refugees who refuse to return.

A comprehensive response can be contained entirely within one country involving concerted measures on behalf of refugees, returnees, displaced persons, residents, demobilized soldiers, and affected communities, as well as measures to remove root causes and promote development.

Regional approaches are likely to be comprehensive responses because of the interdependence of the concerted measures. For example, refugee camps in the country of asylum cannot be closed unless the country of origin is willing to remove the causes of flight and accept the returnees. However, the removal of the causes of flight may be partially dependent on neighboring countries restricting the flow of political and military aid to insurgent groups.

Comprehensive, interrelated approaches are inherent in regional-

avoid flight, prevent the loss of homeland, or to bring refugees home. If conditions in the homeland are not addressed, then the internal situation that caused the flight or expulsion may deteriorate, leading to more refugees, tension and instability. This can affect neighboring states. Refugee situations are a notoriously potent source of international tensions.

Regional efforts have long been a part of the response to refugees, including the 1956 Hungarian refugee crisis and the drafting of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. The Cold War and the accompanying rigid polarization of the world considerably distorted the potential for regional responses by castigating countries of origin as "persecutors," thereby inhibiting measures aimed at the homeland which might prevent refugee flows or promote the repatriation of refugees.

In the late 1970s, regional actors in Africa and South East Asia began to question their assigned roles in international refugee assistance. By its reluctance to engage the homeland in dialogue and negotiations, the prevailing international approach to refugee problems was emphasizing local integration as a durable solution, thereby placing the heaviest

The Cold War, and the accompanying rigid polarization of the world, considerably distorted the potential for regional responses.

ism because unilateral actions, which can be easily implemented, are likely to lead to retaliatory actions, that block solutions and leave all parties worse off.

Reflecting the complex causation of refugee problems, the regional responses often are not limited to dealing with the refugee issue — nor, indeed, do they treat refugees as the central issue. Regional efforts are centered on dealing with the country of origin. The concern is to end conflict and build peace, to

refugee burden on the neighbors of the country of origin.

In Africa, questioning of the above approach emerged in May 1979 at the Pan African Conference on the Situation of Refugees in Africa, which subsequently led to the 1981 International Conference on Assistance to Refugees in Africa (ICARA) and a second ICARA in 1984. At the time, there were several hundred thousand refugees in African settlements which had been established with aid from the inter-



Guatemalan returnees at Playa Grande, Ixcán district.

gees by expanding legal migration channels, by controlling clandestine and illegal migration, by reducing the pressures that force people to leave, and by blocking departures.

Although they could press for their plan, the South East Asian states needed the cooperation of Viet Nam and the Western countries of resettlement to achieve their objectives.

The International Conference on Central American Refugees (CIREF-CA) in May 1989 was both a remarkable capstone in a regional peace process that began in the early 1980s, and a notable milestone in a continuing search for peace and development. The Cartagena Declaration in 1984, the Contadora Act for Peace and Cooperation in 1986, and the Esquipulas II Agreement in 1987 (the Arias Peace Plan), are other important landmarks in a region-wide, coordinated process to promote peace, assist uprooted peoples, repatriate refugees, and strengthen democracy and human rights.

In the mid-eighties, the Central American states engaged in a process that enabled them to move beyond their Cold War roles as superpower clients and pawns to shape a regional solution to their common, interrelated problems. Between 1981 and 1990, the Cold War protagonists spent about \$12 billion in the region, and the ideological demands and expectations of the superpowers exacerbated the crisis and threatened to engulf the entire region.

In 1987, the Central American presidents took matters into their own hands with the signing of the

national community. However, most African refugees were spontaneously settled, receiving negligible international assistance, and were a heavy burden on the host countries. While the Secretary-General, UNHCR and the donors emphasized the need for the durable solution of local settlement, African hosts at the two ICARA meetings emphasized voluntary repatriation as the "ideal solution," as well as the need for greater international burden-sharing to aid the hosts' fragile infrastructures in refugee-affected areas.

Regional comprehensive efforts are not always generous to refugees. Since 1975, the countries of South East Asia have taken actions — at first unilaterally and later in concert — to achieve their preferred solution to the problem of Indo-Chinese refugees. That solution is not to accept any former boat-people for permanent or long-term residence.

The asylum countries insisted that

all asylum-seekers either be speedily resettled outside the region or returned — involuntarily if necessary — to their homelands. The lever at the disposal of the asylum countries, as non-signatories of the Refugee Convention, was their ability to permit or block the provision of first asylum for those fleeing from Viet Nam, Cambodia and Laos. Their use of this lever — at the cost of thousands of refugee lives — led to two international conferences: the 1979 Meeting on Refugees and Displaced Persons in South East Asia and the 1989 International Conference on Indo-Chinese Refugees (ICIR).

The 1989 ICIR approved the Comprehensive Plan of Action (CPA), whose Steering Committee has set a target date of the end of 1995 for an almost complete resolution of the problem — on terms set by the South East Asians. The country of origin, Viet Nam, was pressed to reduce or end the flow of refu-

UNHCR/T. BASSO

► **Arias Peace Plan.** The plan called for cease-fires, coexistence between Nicaragua and its neighbors, guarantees of U.S. security concerns, and an end to interventions in the internal affairs of other nations.

Moreover, the agreement recognized that there could be no lasting peace without initiatives to resolve the problem of refugees, returnees and displaced persons, and appealed for international aid for these efforts. This is the role of CIREFCA, an important humanitarian piece of this larger regional process and program which includes peace treaties, elections, U.N. peacekeeping and peace-building efforts.

CIREFCA's operations, jointly implemented by UNHCR and UNDP, are an interesting attempt by the international community to support weak, devastated states engaged in

post-conflict peace-building, to contribute to the consolidation of peace. CIREFCA integrated repatriation to Nicaragua, El Salvador and Guatemala, and acceptance of some of the uprooted for permanent local settlement in Costa Rica, Belize and Mexico, with short- and long-term development in the context of a regional peace process. Since CIREFCA was created, two of the three armed conflicts have been brought to a close and agreements have been signed that consolidate the prospects for an end to 30 years of armed conflict in Guatemala.

Ultimately less successful than CIREFCA, but in their own way more heroic, have been regional attempts to deal with conflicts in Liberia and Rwanda. In August 1990, the Economic Community of West African States (ECOWAS) made an unprece-

combatants, and bring about the signing of a peace agreement.

ECOWAS took action in Liberia only after the United Nations Security Council — at the urging of its African members (Ethiopia and Zaire), who wished to avoid creating a precedent that might someday apply to them — rejected efforts to place the Liberian crisis on the council's agenda.

In November 1992, ECOWAS imposed an arms and exports embargo on Liberia. The U.N. Security Council finally dealt with the issue in November 1992 when, at the request of ECOWAS, it also imposed a "complete and general embargo" on all weapons.

In 1993, ECOWAS sponsored the signing of the Cotonou Peace Agreement. Later, at the request of ECOWAS, the Security Council established the United Nations Observer Mission in Liberia (UNOMIL) to monitor the implementation of the agreement. The U.N. involvement was necessitated by one of the factions' distrust of the Nigerian-dominated ECOWAS.

Unfortunately, the Liberian peace process has stalled, with apolitical warlords claiming power, planned elections repeatedly postponed, and very few combatants disarmed. Attacks on UNOMIL and ECOWAS personnel have led to force reductions and an indication that the peace-keeping missions might end if there is no progress in the peace effort.

Nevertheless, ECOWAS has made a remarkable effort to address the Liberian crisis. As befits a complex conflict, its efforts have not been limited to the refugee problem. ECOWAS, a multilateral regional organization with limited resources and capacity, was forced to act because of the refusal of the international community to get involved, and because ECOWAS members had a direct interest in the peace of their region. For five years, ECOWAS was able to separate the combatants, negotiate, monitor and nurture a succession of cease-fires and peace agreements, return refugees and displaced persons to their homes, and not get badly drawn into the conflict itself.



ECOMOG troops — part of the ECOWAS initiative — in Buchanan, Liberia.

ented military intervention into Liberia's civil war, which had displaced over half of the country's population and caused 600,000 Liberians to flee to Guinea, Sierra Leone and Côte d'Ivoire. Faced with a conflict of near genocidal proportions, a huge refugee flow into three member states, a government that could not govern, and the threat that hostilities would spill over into neighboring states, a regional international organization was able to find the political will to intervene, separate the

Still, Liberia has not been restored to a functioning state. A significant factor is the failure of the international community to act in support of the pioneering ECOWAS effort. For almost four years the international community stood on the sidelines. Besides being late, the U.N. effort has been slow and underfinanced. Repeated U.N. appeals to the international community to provide financial and logistical support to ECOWAS have gotten a lukewarm response.

Then there is Rwanda. Ironically, the genocide and massive displacement of Rwanda's population in 1994 was set off within the context of a regional peace effort to deal with a 35-year-old refugee problem. Last year's massacres, renewed civil war and the refugee exodus began after the killing of the presidents of Rwanda and Burundi as they returned from a regional peace meeting in Tanzania.

After a 1990 invasion by a refugee army, Rwanda's neighbors — Burundi, Tanzania, Uganda and Zaire — each of which had large numbers of Rwandese refugees, became actively involved in negotiations to arrange a cease-fire and a peace agreement. In 1991, a Regional Conference of the five heads of state drew up the Declaration of Dar es Salaam, which set out the principles for a regional solution to the Rwandese refugee problem, including the right of repatriation and a commitment by Rwanda's neighbors to naturalize those refugees who wished to remain. UNHCR actively cooperated with the regional effort and the OAU deployed a Neutral Military Observer Group to monitor the cease-fire.

The U.N. Security Council, beginning in June 1993, created two peace-keeping operations to support the regional peace process. The United Nations had rebuffed earlier requests from the Regional Conference that it assist the OAU in monitoring the cease-fires of 1991 and March 1993. The United Nations Observer Mission Uganda-Rwanda (UNOMUR) was deployed on the Uganda side of the border as a temporary confidence-

building measure, monitoring the border to verify that no military assistance reached Rwanda.

In October 1993, the Security Council established the United Nations Assistance Mission for Rwanda (UNAMIR) to monitor the cease-fire agreement and the security situation, and to monitor the return of refugees and displaced persons.

In August 1993, the Government of Rwanda and the Rwanda Patriotic Front (RPF) signed a peace agree-

Unfortunately, the Liberian civil war may be a model for the refugee crises of the 1990s.

ment calling for the establishment of a broad-based transitional government in Rwanda and for democratic elections. Although implementation was very slow, hopes were high. Between August 1993 and April 1994, almost two-thirds of the 1 million displaced people had returned home. Organized repatriation was planned for later in 1994. However, in April 1994, hardliners in the Rwandese Government, who opposed power sharing, destroyed the peace process and unleashed a campaign of genocide against the Tutsis.

The Central African states and the OAU made a valiant effort to deal with the Rwandese refugee crisis. They sustained a long-term negotiating process, committed themselves to naturalizing those refugees who did not repatriate, brokered numerous cease-fires, organized an OAU military observer group, and produced a peace agreement. In this, they had the support of the OAU and UNHCR, but the United Nations stood on the sidelines until late in the process. In the end, conditions within Rwanda and the inability of a weak government to control its own ruling party and military forces led to disaster.

Intervention in refugee situations is a novel task for many regional organizations, although some are more experienced than others.

Often they are able to act more quickly than the United Nations. Regional actors have a direct interest in resolving the conflict and may have greater knowledge and sensitivity regarding the basis for the conflict and the relevant players. Depending on the region — with NATO, ASEAN and the OAS relatively rich and strong, and the OAU and ECOWAS quite poor and less effective — the regional organizations may lack military, logistical and economic resources. Regional bodies also have varying forms and capacities in their structures, mandates, decision-making procedures, bureaucracies and institutions.

Regional organizations that display initiative and will similar to that of ECOWAS or the OAU are likely to need assistance from the international community. That back-up assistance has not been forthcoming, or else has been insufficient or late. The Secretary-General, General Assembly and the Security Council resolve and speak about regional delegation, regional cooperation, regional potential and regional mechanisms in glowing terms. But the provision of needed peacekeeping forces, arms and economic embargoes, special representatives of the Secretary-General, war crimes warnings, financial resources, logistical

► assistance and other measures in support of regional efforts have not been timely.

Unfortunately, the Liberian civil war may be a model for the refugee crises of the 1990s. Despite the efforts of ECOWAS and the belated U.N. effort, the increasingly fragmented Liberian factions have not been able to put their state together again. A major justification for the ECOWAS intervention was that "there is a government in Liberia which cannot govern and contending factions which are holding the entire population as hostage." This description could apply to Afghanistan, Angola, Somalia or a number of other fragile, weak states devastated by internal conflict, civil wars, secessions, partitions, ethnic conflicts and tribal warfare, where national institutions have disintegrated and the state is no longer capable of ensuring the safety of its citizens without outside assistance.

Regional solutions require interdependent action. Host countries cannot reduce their refugee burden unless resettlement countries take some refugees or the country of origin allows return in safety and dignity. In both Central America and Central Africa, the willingness of the host countries to naturalize the small residual population who chose not to return was a factor in the regional arrangement. In Central America and in West and Central Africa, the country of origin's cooperation was facilitated by neighbors' actions to end support, recruitment and bases for refugee-warriors. Viet Nam's cooperation with the CPA was enhanced by the European Union's program of aid to returnees and the prospect that Viet Nam would gain normal political and economic relations with other states.

The regional approach to refugee problems is normally predicated on the premise that the refugee problem is a small part of an overall problem, a wider process for restoring peace. The magnitude of the challenge exceeds the capacity of either regional actors or UNHCR acting separately.

In the cases reviewed here, UNHCR performed admirably. But it cannot provide peacekeeping troops, threaten war crimes trials, impose embargoes, or take other timely actions in support of peace initiatives. The United Nations — particularly the Security Council whose major powers perceived none of their strategic interests at stake — has been laggard in providing regional efforts with more than rhetorical support.

In the post-Cold War era there is little incentive or interest on the part of the international community to intervene in internal conflicts. The rationale, norms and methods of humanitarian intervention are in flux and transition. Moreover, as the pull-out from Somalia and the long non-involvement in Liberia, Haiti, Rwanda, and other trouble spots indicate, for many in the international community, Neville Chamberlain's words from 1938 have a contemp-

technical assistance; co-deployment of forces — as in Liberia and Rwanda; and joint operations, such as the joint U.N.-OAS mission in Haiti. To be effective, cooperation needs a clear division of labor to avoid overlap and institutional rivalry and to achieve a consistent approach to a common problem.

However, the international community cannot simply "delegate responsibility" to regional organizations that may be weak themselves. Regional organizations' grass-roots potential must be supported with resources, actions, troops, embargoes and, in particular, with assistance in building stronger regional institutions. In Central America, still in the context of the Cold War, a regional approach received substantial international support in the form of CIREFCA. But in post-Cold War Liberia and Rwanda, as heroic regional efforts came close to achieving their goals, the international

In Liberia and Rwanda, as heroic regional efforts came close to achieving their goals, the international community did too little, too late.

orary cogency: "How horrible, fantastic, incredible it is that we should be digging trenches and trying on gas-masks here because of a quarrel in a faraway country between people of whom we know nothing!"

For regional actors, the problems are not "faraway." Regional organizations are grass-roots actors in much closer touch with local realities. With the end of the Cold War, many regional organizations have greater flexibility and freedom of action, and the incentive to intervene in local conflicts that do not engage global actors.

The United Nations has recognized that regional arrangements possess a potential that should be utilized to preserve international peace or assist refugees. U.N. cooperation with regional agencies can take a number of forms, including consultation; mutual diplomatic support; operational support and

community did too little, too late.

Speaking of the U.N.'s attempt to intervene in Rwanda after the genocide began, the Secretary-General said: "It is a failure, a failure not only of the United Nations but also of the international community... It is a scandal." Unfortunately, the United Nations is also weak because long, bitter experience with internal conflicts indicates that outside intervention has poor prospects of improving the situation. Regional comprehensive efforts can improve these prospects. Combining global resources and experience with regional interests and sensitivity has produced some successes. There are no guarantees, but the international community needs to use all the arrows in its quiver.

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Final act: closing down the CPA

Ha Manh Dung was nine years old when he left Viet Nam with his parents and younger brother on board a rickety fishing boat. He is now 15, perched nervously on the seat of his first-ever airplane, flying with 56 other voluntary returnees back to Viet Nam. His family has exhausted every appeal. Neither the Hong Kong government nor UNHCR considers that the Ha family has any claim to refugee status. They are simply unwanted aliens, with no visa and no future in Hong Kong. So they're headed back. "We have been living in a prison for so many years, with no result," says Dung. "This way my parents will get money from the U.N. to start a new life. They will make a small shop in Hai Phong." He admits he has only the vaguest memories of Viet Nam.



"A lot of my life has been in detention," he says anxiously as the plane touches down in the country where he must now build a future.

Vietnamese asylum-seekers head home from Hong Kong's Whitehead camp.

Rows of coiled barbed wire top the high fencing that separates the grim prefab blocks of Whitehead, Hong Kong's biggest camp for Vietnamese boat-people, where 12,000 people live. The wooden beds are stacked three high, with one curtained-off bunk per family. Single men with no kids get top bunk. Windows are barred even inside the camps. Only voluntary repatriation candidates have fans. Children who grow up here have never seen a tree, a dog, a blade of grass or — barring birds and rats — any living animal. ▶

► Yet a 25-year-old woman who gives her name as Quynh says she will stay in Whitehead "to give my child a future." Quynh arrived in Hong Kong in 1989. She balances her two-year-old — born in Whitehead — on her hip. "I know there is a chance we will get out, so I will wait as long as I must," she says. "I will not go back to Viet Nam. There is no future there."

Like every screened-out boat-person in Hong Kong, Quynh knows there is a risk she will be forcibly returned to Viet Nam. She knows her case for refugee status has been thoroughly reviewed and conclusively turned down. She knows that screening of Vietnamese boat-

in December 1994. "We must make every effort to end the CPA."

It will be hard going. Many camp inmates have no intention of returning without a fight. They command vocal support from overseas Vietnamese communities world-wide. Moreover, first-asylum governments may be reluctant to part with UNHCR support till the last boat-person has left. "If UNHCR pulled out and we were left without international support we would feel very, very let down," says Brian Bresnihan, Refugee Coordinator for the Hong Kong government. "There would be a tremendous outcry."

Operationally, it's easy to disengage. Politically, it's going to be

been resettled — almost as many as were resettled by the International Refugee Organization after World War II — and the mirage of prosperity in Canada or California kept drawing more. It was clear that, 14 years after the end of the war, not all the exiles were *bona fide* refugees, but the numbers in transit in South East Asian camps were once again surging. Governments again threatened to cut off asylum altogether. A second international conference set up the first UNHCR-brokered package deal: the CPA. The plan focused on stemming the exodus, reinforcing more orderly departure routes, and finding permanent solutions for every exile. The key: individual screening would determine which asylum-seekers were refugees fleeing persecution. The remainder would have to return to Viet Nam.

The CPA, unquestionably, worked. The flood was stemmed. A safe alternative system for departure was considerably reinforced. Unprecedented numbers of people were screened. Resettlement slots gave new lives abroad to almost every screened-in refugee. (The struggle to find more places for the remaining caseload continues). Since 1989, more than 78,000 people have begun life in new countries under the auspices of the CPA.

But then there are the screened-out. Voluntary repatriation has been unexpectedly effective: 70,000 people have asked to go back to Viet Nam. But the camps of South East Asia are still crammed with more than 40,000 screened-out Vietnamese and Laotians. Repatriation to Viet Nam is currently low, and falling: from 19,000 in 1993 to a mere 12,500 in 1994. Many of the remaining inmates refuse point-blank to volunteer. In Hong Kong's Tai A Chau island camp, which houses 6,500 mainly southern Vietnamese detainees, Field Officer Neil Farren laments, "More people are born here every month than repatriate."

Tai A Chau is a relatively pleasant place, with shops, several canteens playing music all day, TV rooms, training programs, income-

**"If we're going to be reluctant to disengage,
then we'll never get out of anywhere."**

people is over in Hong Kong — indeed, is over everywhere in South East Asia. But she is determined, as she says, to be "the last to leave."

For 41,000 screened-out former asylum-seekers in South East Asia, this is the end of the line. UNHCR is closing the book on much of its 20-year involvement with the Indochinese caseload. The Comprehensive Plan of Action — among the most elaborate and expensive refugee programs in history — will end on 31 December 1995. Status determination has been completed. UNHCR has signed tripartite agreements approving orderly repatriation from Malaysia and Indonesia. The agency is cutting staff and planning to pull out of almost every camp over the course of the year. Other major associated programs — the European Community International Program (ECIP), Nordic Assistance to Repatriated Vietnamese (NARV) — are also folding their tents. The latest CPA fund-raising appeal calls itself the last appeal. "I do not think we can justify the Vietnamese camps in South East Asia much longer," wrote High Commissioner Sadako Ogata in her year-end letter to UNHCR staff

tricky," admits Jahanshah Assadi, UNHCR's Chief of Mission in Hong Kong. "But we have nothing to apologize for in this part of the world. We've provided the solutions. If we're going to be reluctant to disengage from the CPA, then we'll never get out of anywhere."

The CPA has been a milestone in the history of UNHCR — a solution as vast and unprecedented as the refugee crisis that spawned it. Beginning in 1975, with U.S. withdrawal and the fall of South Viet Nam, an apparently unstemmable flood of exiles left the shores of Indo-China. Every exile who reached the South East Asian countries of first asylum was resettled, mainly in the U.S., Canada, France and Australia. UNHCR ran the camps and facilitated resettlement. By 1979, however, resettlement places were getting scarce. To stave off the specter of government push-backs of hundreds of Vietnamese boats, a first international conference in 1979 resulted in confirmation of the blanket guarantee: resettlement for all.

Ten years later, amid unspeakable suffering and misery, the boat-people and land-people just kept coming. Over a million people had

generation projects, pre-school, kindergarten and sports facilities. Sungei Besi, in Malaysia, was once like that. But now, though minimum standards of decency are clearly observed, conditions at Sungei Besi are becoming harsher. Almost 250,000 Vietnamese boat-people have passed through Malaysia since they first came ashore in 1975. Now there are 5,500 left. All but 400 are screened-out. With Sungei Besi scheduled to close in August 1995, they must go home.

These days in Sungei Besi, only one canteen is open at any time; inmates can no longer while away the day sipping a Fanta. Financial remittances from overseas are limited to US\$50 per month; the remainder is banked pending repatriation. Grocery stores are closing. Access to sewing machines has been cut. Training and income-generation activities are limited to repatriation candidates. And UNHCR staff walk inside Sungei Besi only in pairs. As they approach the cinderblock buildings where non-candidates for repatriation are housed, groups of much-tattooed men stare stonily down. "The difficult group is left," says Associate Field Officer Cecilia Abraham, who has worked with Indo-Chinese asylum-seekers since 1978. "They say they would rather fight and die than go back — and they are ready to hurt themselves, that is true. We have been lucky so far, but every day is a tense day." As Werner Blatter, Director of UNHCR's Asia division, puts it, "When the tide goes down, the rocks come up".

Barely 50 people chose to repatriate from Sungei Besi in November 1994. Faced with this trickle, several of the first-asylum countries have drafted agreements providing for non-voluntary return to Viet Nam. UNHCR does not participate in Hong Kong's "orderly return" arrangement, which does not exclude the use of force, and which has sent home more than 1,000 detainees to date. UNHCR has, however, signed Indonesia's agreement, which states that return need not be voluntary but specifies that it should take place without using violence. (In other

words, the plan gives boat-people the face-saving option of saying they had no choice, but precludes physically forcing them to go). Agreements signed by Malaysia and the Philippines do not refer specifically to use or non-use of force in repatriating people who have not volunteered.

"It's not for us to go round advocating deportations," says Assadi, who was the first Secretary of the steering committee of the CPA, six years ago. "But these are illegal immigrants, not refugees. We've already gone beyond our traditional mandate. We've operated under a special licence to exceptionally exercise our good offices in dealing with the voluntary repatriation of people who are not refugees. That licence is ending, and we're not hanging around indefinitely. Our message to governments is, 'The CPA has met its primary goals. To finish it off, you are in the driver's seat. We have

Many inmates of Malaysia's Sungei Besi camp refuse point-blank to volunteer to go back to Viet Nam.



only one year left. We're headed uphill. So let's shift gears."

By agreeing to assist and repatriate people who had been screened-out — who were not refugees — UNHCR may have participated in creating what is by now widespread confusion about their rights. UNHCR's guidelines on repatriation were developed for refugees. The CPA detainees are overwhelmingly ►

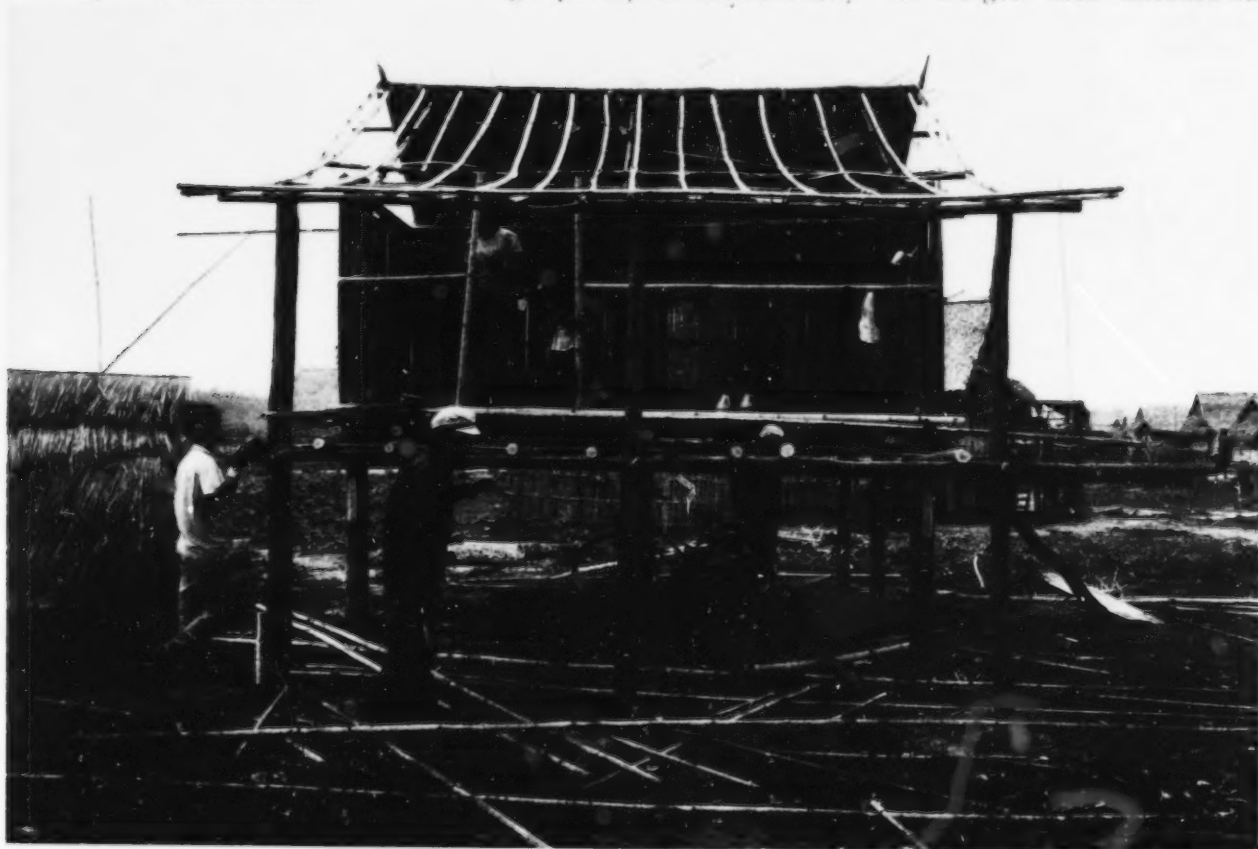
► screened-out. In legal terms, they are not greatly different from the illegal aliens whom many countries deport every day.

In the heat of the crisis, such distinctions were far from vital. "The flood of people; the pushbacks; the piracy; the attacks; the robbery; the killing; the rape; the machine-gunning of boats; the breakdown of the obligation to systematically rescue persons at risk on high seas; the threats of closure of territorial waters — we faced a problem so peculiar, so specific and so dramatic that we had to act," recalls Sergio Vieira de Mello, UNHCR's Director of Policy Planning and Operations, who helped negotiate the CPA. "There was certainly no emergency in Viet Nam by 1989, and conditions there no longer justified the automatic recognition and resettlement of any person leaving the country. Once you establish for the Vietnamese the same criteria as for any other group of asylum-seekers, then, by

definition, you have to accept that some — the non-refugees — must go back. I faced all kinds of criticism. But I had no problem with mandatory return if people had been determined not to be refugees under the most generous, all embracing criteria that could be found — and then failed to avail themselves of the opportunities offered to them for voluntary, organized and safe repatriation."

The CPA's status determination mechanism has been a flashpoint for criticism of the whole plan, mainly by those who refuse to accept that asylum-seekers who failed to make a case for refugee status would have to return to Viet Nam. Specifically, critics have alleged corruption in the screening process. UNHCR staff concede that this may, in a few cases, be true. "It may have happened," says Lennart Hansson, Head of Desk for the CPA. "But the real question is, have any people who are refugees been screened-out

Returnees build a new life in Sayaburi Province, Laos.



because of corruption? We do not think so. Our main concern is that someone who should qualify for refugee status should get that status. We have checked and checked every candidate, and we are satisfied."

Director for Protection, Dennis McNamara, says the CPA caseload benefits from "more due process than any asylum-seeker in Europe or the U.S." Criteria for status determination are among the most generous in the world. Every candidate is interviewed at length, sometimes repeatedly. Each one has the right to appeal — and in some cases, can claim a third review. In Thailand, for example, UNHCR sits on all screening boards and writes an opinion on every case. Finally, UNHCR can use its mandate to declare any asylum-seeker a *bona fide* refugee; a further guarantee of fair treatment.

Another guarantee rests in UNHCR's presence in Viet Nam, where the agency monitors returnees and sets up micro-projects, both to help them reintegrate and to "anchor" other Vietnamese citizens to their homeland. Monitoring has encountered no serious difficulties. "The Vietnamese government has really gone out of its way to adhere to its commitments under the CPA," says UNHCR Representative Christopher Carpenter. "Most complaints are related to delays in receiving money, or registering their address, or in straightening out housing. Nothing really discriminatory that has to do with them leaving the country."

At UNHCR's Hanoi bureau, an office is lined with current files of letters of complaint and notes from monitors' visits. They vary. A family in Hai Hung, with one child, came back in December 1993 after four years in Hong Kong. With their three \$360 reintegration grants, they bought a small house that has risen considerably in value. They installed a motorcycle repair workshop on the ground floor, secured a preferential loan from ECIP, and now employ three trainees. On the other hand, Nguyen V.K., who was forcibly returned from Hong Kong in January 1994, was arrested 14 days after his

return and charged with robbery and murder. A former student at Hanoi's Foreign Language Institute and an activist in Hong Kong who slashed himself in one protest, Nguyen allegedly left Viet Nam after killing and robbing an acquaintance.

So far, UNHCR has learned of 65 returnees investigated or detained by police, says Associate Repatriation Officer Dirk Hebecker. Most are

Monitors have never uncovered any convincing cases of judicial harassment linked to the decision to leave Viet Nam.

accused of stealing the fishing boats they left with. Monitoring officers say every claim of police harassment has been found to be linked with arrest warrants or jail terms handed down before departure. Despite particularly careful follow-up of delicate cases involving imprisonment, monitors have never uncovered any convincing cases of judicial harassment linked to the decision to leave Viet Nam or to activism in the camps.

Typical complaints center on economic difficulties. Nguyen Anh Tien, 40, lives with his wife and two daughters (14 and 11) and his 70 year-old mother in Hanoi in a tiny cubicle down a rabbit-warren of tunnel-like corridors. When they arrived in Hong Kong, the family missed — by just three weeks — the cut-off date that could have given them an automatic ticket to California or the Côte d'Azur. In September 1994, after six years in detention, they were forcibly returned. "I was forced to come back. How could I be happy about it?" says Nguyen. "The children are in school but we have found no work and it is very difficult. The U.N. gives you money — it looks like a lot, but now a lot of it has gone. Viet Nam has changed. You need to worry about more, and it's not easy to find your way. The reality is you need money to invest to start a business and I don't have it."

Despite his frustration and tough financial straits, even Nguyen seems fortunate compared with some of the

other former boat-people, who remain emotionally trapped in the zombie world of detention camps. Hong Kong's Pillar Point, an open "camp" that resembles a low-income housing project, shelters roughly 600 refugees. Some have been screened in on the basis of persecution; others are pre-CPA arrivals who received the blanket right to resettlement. But they failed to step up for resettlement. Or they turned down a place in a country they didn't want. Or they were never offered a resettlement place because of their costly social or medical conditions. Or they were turned down because they use drugs.

Blatter insists UNHCR will fight tooth and nail to get places for the "expensive" refugees — people who may have twelve children, or cancer, but who nonetheless have a right to be resettled. Drug-users are a tougher proposition. Destination countries now test for drugs, and most refuse addicts. Despite a small pilot detox program, field staff estimate that three-quarters of adult men in Pillar Point use heroin. At noon, during nap-time, when those with jobs are out and those with none are sleeping, a brief walk round the camp yields six syringes lying openly in the soft earth.

In Ban Napho camp, near Thailand's border with Laos, drug use has become an equally intractable problem: a symptom of the malaise of a group forced by circumstances ►

to live in camps for far too long. Ramshackle bamboo sheds with beaten-earth floors, divided into 20 or so living units, house 9,000 people. Almost all are Hmong from Laos, some of whom sided with the U.S. during its long involvement with Indo-China. Almost all are, technically, refugees, since most arrived in Thailand before the cut-off date when screening started. But — as with the residents of Pillar Point — many of them turned down resettlement places, and then did not step forward when the Thai government and UNHCR issued a 1993 deadline for resettlement applications. Others were refused places when one or more family members tested positive for opium, a drug that is traditional to many Hmong. Now their only option is to volunteer to go back to Laos.

But though repatriation has picked up recently, for a total of 5,200 in 1994, many Ban Napho res-

idents seem unlikely to volunteer. A January 1994 survey in the camp indicated that of the 8,469 Hmong then in Ban Napho, 2,500 expressed no opinion about repatriating. Nearly 2,000 said they would stay till facilities were cut off, and then move. Some 1,400 said they would move if schools, healthcare and other services were transferred to Laos. Others cited family difficulties. Only 155 claimed political objections to the Laotian government. The main thrust was simply inertia. "In Laos, they have to work," explains Boosin Nubthuesuk, a social counsellor. "Here, everything is free: rations, rice, school, medical equipment. But we also have a lot of social problems."

Xien Khouang, the aged, almost toothless patriarch of an 11-person household, left his home in the highlands in 1961, and quit Laos altogether in 1975. Much of his family has no practical experience of self-sufficiency or of Laos, and after

Outsiders might worry more about them right where they are.

The Ban Napho caseload is a special issue, since most people there have refugee status. Elsewhere, however, even many long-time activists for the Indo-Chinese asylum-seekers accept that repatriation is their only option — the sooner the better. "The advocacy community should refocus its efforts for the boat people, to concentrate on issues and activities inside Viet Nam," wrote a joint delegation of ten American NGOs after a December 1994 mission to South East Asia. "[We] firmly believe that the vast majority of asylum-seekers would be better off returning to Viet Nam voluntarily."

As more asylum-seekers come to accept that reality, the pace of return will step up in 1995. Tentatively, warily, more families will head back home — to a country that many of the children, and even some adults, barely recall. The change will be disorienting. Viet Nam is vastly altered, its economy booming — 9% GDP growth in 1994 — and its society undergoing dramatic change.

Pham Thi Dan, 54, gets off her brand-new, bright red bicycle and opens the door to her home. She shares a one-room mezzanine in a Hanoi tenement with her husband, infant and six other people — three to a bed. Pham used to collect and sell empty bottles for a living. Her husband was a truck driver in the army. They bought a ticket on a boat headed for Hong Kong in May 1989. Since returning in January 1994, they still haven't found jobs. Still, Pham is astonishingly upbeat. "Our main problem is lack of space. We have to make it better step by step. There is a huge difference in Viet Nam today. Five years ago I could have been arrested for picking up bottles, having an unauthorized business. Now I can do what I please — set up a food-stall if I want to. My child can study a foreign language and get a job with a foreign company. We decided to come back to our family, and to give the child a future. And I am glad."

RUTH MARSHALL



A flourishing restaurant in Viet Nam's Can Tho province was started by returnees with \$1,500 from UNHCR.

nearly 20 years in Thailand's camps a kind of unreality has set in. "If the camp closes we will go to the U.S.," he asserts. A black-smeared opium pipe-head lies broken in the earth at the entrance of the family's housing, and a 13-year-old grandson barely bothers to hide the pipe in his hand. "In Laos, we would worry about our sons and our husbands," ventures one daughter-in-law,



A Nicaraguan refugee in Costa Rica, where a 1992 decree gave refugees an opportunity to obtain permanent residency.

The human side of CIREFCA

Ask farmer Epifanio Lezcano what he knows about CIREFCA and you'll get nothing but a shrug and a blank stare. But ask Lezcano how he and 14 other former Nicaraguan refugees in his immediate family obtained permanent residency and a four-hectare pineapple farm in the rolling hills of northern Costa Rica and he'll talk your ear off. Although he doesn't know it, Lezcano owes it all to CIREFCA.

The same goes for Guatemalan returnee Viviano González, who along with 1,867 families came home from Mexican exile a year ago to

begin rebuilding a cooperative farm in the steamy, mosquito-infested jungles of the northern Ixcán region. González doesn't know what CIREFCA is, and he doesn't particularly care. What matters most to him is that he and his family finally have their own land, a modest new home and the security of knowing that UNHCR and the international community care about their safety and their future.

It's the same story in the dusty village of Zacamil in neighboring El Salvador, where hundreds of former refugees who spent more than a decade in Honduran exile are ►

► building a clinic and recently inaugurated a new four-room school during an afternoon of fireworks, patriotic speeches and games for the children. When asked what CIREFCA meant to them, the villagers uniformly replied: "What's CIREFCA?"

CIREFCA is the Spanish acronym for International Conference on Central American Refugees. But in more human terms, CIREFCA was a highly successful international effort that over the past five years spelled hope for hundreds of thousands of refugees, returnees, displaced persons and undocumented aliens in seven Latin American countries. Lezcano, González and the villagers of Zacamil are all direct beneficiaries of the just-concluded CIREFCA process.

August 1987, Central American leaders signed the "Esquipulas II" accords laying down plans for a "firm and lasting peace" in the region.

Although there were a series of converging initiatives at the time, CIREFCA can be traced primarily to these Esquipulas II accords, in which the regional leaders agreed "to give urgent attention to the flows of refugees and displaced persons resulting from the crisis in the region, by offering protection and assistance, especially in the areas of health, employment, education and security, and to facilitate their repatriation, resettlement or relocation, so long as it is voluntary and individually expressed."

This recognition by regional lead-

Salvadorian returnees preparing iron supports for reinforced concrete used in the construction of 155 new houses at Comunidad Huisisigara.



In the 1970s and 80s, Central America was rocked by war, civil strife and widespread human rights abuses that forced nearly 2 million people from their homes. By the mid-1980s, nearly all sides had grown weary of conflict and were beginning to search for a regional solution. In

ers that any comprehensive solution to Central America's problems had to include initiatives for refugees, returnees and the displaced provided UNHCR and others with an unprecedented opportunity to translate the goals of Esquipulas II into concrete humanitarian action.

"Esquipulas provided the political framework for CIREFCA," said Michel Gabaudan, UNHCR's representative in Guatemala. "UNHCR utilized political developments in the region, seeing it as a chance to start talking about real long-term solutions to refugee problems, and not just assistance programs."

In September 1988, the governments of Mexico, Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua met in San Salvador and — with support from UNHCR — agreed to call the first CIREFCA meeting in May 1989 in Guatemala City. At the 1989 meeting, Belize, Costa Rica, El Salvador, Guatemala, Honduras, Mexico and Nicaragua adopted what eventually became a five-year (1989-94) CIREFCA "Concerted Plan of Action" to find solutions to the problems of uprooted people in the strife-torn region.

The CIREFCA Plan of Action included the following objectives:

- To identify permanent solutions to the problems of uprootedness within the framework of national development and as an integral part of efforts toward peace and democracy;
- To respect the right of refugees to return voluntarily to their countries to resume a normal life through the promotion of voluntary repatriation as the ideal solution;
- Where voluntary repatriation is not yet a realistic option, to help refugees play a wider and more positive role in countries of asylum by encouraging interaction with local communities;
- To improve the situation of displaced persons so that they may return to a normal, productive life in their places of origin;
- And to counteract the negative impact that uprooted populations may have on employment, social services, economic conditions and the environment in receiving communities by, among other things, ensuring that programs also benefit the local population.

More than 1.9 million people were targeted under the CIREFCA plan in 1989, including 146,400 refugees, 61,500 returnees, 893,000

undocumented Central American aliens, and 872,000 internally displaced people.

UNHCR and the U.N. Development Program (UNDP) were named as the main United Nations players in implementing CIREFCA programs and projects, underscoring the concept that there must be a continuum from relief to rehabilitation to long-term development. For the first four years of CIREFCA, the lead agency role was taken by UNHCR. As the regional situation stabilized and the

Starting in Nicaragua, UNHCR pioneered small-scale Quick Impact Projects (QIPs) to support returnee communities in such areas as transportation, health, infrastructure, agricultural production and income generation. Today, QIPs have become a mainstay in UNHCR programs around the world.

Similar local development projects were started by UNDP under the "PRODERE" program, initially funded by the Government of Italy.

In El Salvador, a CIREFCA pro-

**"In the early days,
Salvadorian NGOs were very critical of UNHCR
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focus began shifting more toward long-term development. UNDP assumed the lead in July 1993 for CIREFCA's final year.

CIREFCA projects covered a wide range of needs — from general infrastructure development and national reconstruction to meeting the specific requirements of individual communities in countries of origin as well as in countries of asylum.

Donor nations were impressed by the regional effort being made by the CIREFCA group and provided financial and other support. Between 1989 and mid-1994, some \$420 million was spent on CIREFCA projects, including nearly \$80 million channeled through UNHCR.

Although much remains to be done in Central America, the list of CIREFCA's achievements is impressive. By mid-1994, some 70,000 Nicaraguans, 30,000 Salvadorians and more than 18,000 Guatemalans had voluntarily returned to their countries. Thousands more who decided not to go home were being integrated in asylum countries.

"Closed" camps were eliminated and refugees were encouraged to play a productive role in their asylum countries.

gram administered by UNHCR helped more than 1 million war-affected people receive new personal identification documents that eventually enabled them to vote in national elections in March 1994.

But one of the most remarkable achievements of CIREFCA was its ability to open a dialogue between opposing sides, thus contributing to the overall peace process.

"CIREFCA got people talking about things like human rights, protection and other issues that they never wanted to do in a formal setting until then," Gabaudan said. "In El Salvador, for example, this helped to establish a dialogue between national non-governmental organizations (NGOs) and the government — neither of whom trusted the other in those early days."

Opening this channel of communication on humanitarian issues had the added benefit of bolstering the political process in El Salvador, according to Roberto Rodríguez, deputy director of the Human Rights Division of the United Nations in El Salvador (ONUSAL). Eventually, the two processes became mutually reinforcing.

"CIREFCA helped strengthen the ►

► peace process, which was at that time a little bit shaky," Rodríguez recalled. "Everything had to be discussed and negotiated with all concerned. This exercise of talking and talking and negotiating every single humanitarian project eventually created a new culture of dialogue between the sides, instead of violence."

Rodríguez, who worked for UNHCR in the region before going to ONUSAL, recalled that prior to CIREFCA, everything had to be cleared first with the military. "Even for small projects, I had to use military connections to get anything done," he said. "They controlled everything. But under CIREFCA, we started to work with the various government ministries, so we were also helping to develop the civilian elements of power."

But UNHCR's mediating role in talks between the various sides often brought criticism that it favored one group over the other.

"In the early days, the Salvadorian NGOs were very critical of UNHCR because they felt we should

have been more openly critical of the government," Rodríguez said. "On the other hand, there are people, even today, who say we were always in favor of the left. But the important thing is that now, in 1994, the NGOs have come to realize that they had to change their style. CIREFCA was the key to this transformation — to get anything done, they had to have a dialogue with the government and the military. At the same time, the government and the military — whether they liked it or not — had to talk to the NGOs."

Project by project, the CIREFCA process gradually helped establish a climate of cooperation between former foes.

"A very important lesson of CIREFCA is that UNHCR cannot be afraid of these accusations of partiality, because they will come from all sides," Rodríguez added. "The most important thing is to create a framework where you set your sights on the end result, but always keeping in mind that you have to remain objective."

Lorena Martínez and Salvador Orellana, representatives of two Salvadorian NGOs that work with returnees, agreed that UNHCR emerged from the CIREFCA process with a reputation for fairness and impartiality. But both acknowledge that they didn't always see it that way.

"At first, we thought UNHCR was

paying too much attention to the government's wishes," recalled Orellana, who said his work with displaced Salvadorians was illegal during the war years. "But then, as UNHCR actually began the return of refugees to areas still in conflict and began working with the returnees and protecting them, then it was the government that was making the accusations of unfairness."

Added Martínez: "We now understand that UNHCR is in this country at the invitation of the government and, therefore, has to work with it. In the final analysis, it's been a good relationship and a good experience for all of us."

Orellana agreed. "Now you can see that all of us — the government, NGOs, donors, UNHCR, UNDP — can sit at a table and work together for the betterment of the country instead of only pushing for our own individual positions."

Today, UNHCR is scaling down its activities in much of Central America, thanks in large part to the success of CIREFCA. And throughout the region, the cooperation spawned by CIREFCA continues to bring benefits.

Take the example of Juan Carlos Mérida, a 27-year-old Guatemalan refugee in southern Mexico's Chiapas state. Mérida, who has a sixth-grade education, is in charge of one of 10 refugee-operated reforestation nurseries in Chiapas's Lagos de Montebello National Park. This UNHCR-supported program dovetails nicely with several of CIREFCA's goals, including the promotion of self-sufficiency among refugees while minimizing the impact on the surrounding local population by creating jobs and improving the environment.

Mérida's nursery, which in 1994 provided nearly 650,000 seedlings for reforestation, provides work for some 250 people. Mérida has become a largely self-taught forestry expert and now teaches courses on the subject to other refugees and locals alike.

Mérida is one of more than 40,000 Guatemalan refugees who have sought asylum in Mexico since

A Guatemalan refugee tends seedlings at a nursery in Chiapas, Mexico.



1982 in the states of Chiapas, Campeche and Quintana Roo.

As an asylum country, Mexico's objectives under CIREFCA included the promotion of voluntary repatriation to Guatemala as a priority solution, as well as self-sufficiency oriented toward integration for those refugees like Mérida who do not want to repatriate.

Mérida, whose family fled Guatemala when he was 14 years old, says he has built a new life in Mexico and hopes to stay there. Many Guatemalan refugees his age and younger feel the same way. But although he and others like him are well on the way to self-sufficiency, they still have no legal residency status in Mexico and worry about their future.

"I want to stay here because I see that my children will have an opportunity to get an education and I want them to have a better future than I did," said Mérida, who is now married, with one child and another on the way. "After all these years in Mexico, you become a part of Mexico. We're not here to take land away from Mexicans, but if there's a little corner of this country somewhere that's available for us, it would be very nice."

Throughout much of Central America, the lack of land remains a major problem for refugees and returnees alike. Compounding the refugees' uncertainty in Chiapas is a simmering conflict between the region's impoverished Indian farmers and the Mexican government that erupted in January 1994 in bloodshed.

Despite the opportunities in Mexico and continuing fears among prospective returnees of insecurity in their homeland, more than 15,000 Guatemalans have returned home since organized repatriations began in 1993.

Although Guatemala remains the major area of concern within the original CIREFCA group of seven, some progress is being made. In the remote northwestern settlement of Chaculá, for example, nearly 1,000 Guatemalans have begun rebuilding their lives since the first returns to



UNHCR / A. SANCHEZ

the region in November 1993. The returnees are part of a 5,000-hectare cooperative that has been built virtually from the ground up over the past year. With government and international funding, the returnees first built a reception center and a temporary water system, latrines, showers and other basic facilities. Today, neat rows of houses line the dirt streets of the new town, which also boasts a host of QIPs ranging from the construction of a concrete-block school to a restaurant, a tailor shop and a bakery that employs 37 women.

"A lot of these people came back from Mexico with new skills that they're trying to put to use here," said José Samaniego, head of the UNHCR field office in the nearby town of Nentón. "In addition to agriculture, the men are doing much of the infrastructure work, while the women are involved in various income-generating projects. It's a beginning, and it gives women a role in rebuilding and enables them to earn an income while the men get the fields prepared."

Samaniego said that while most of the returnees know little or nothing about CIREFCA, they are very aware that they are part of an international initiative. In the last half of 1994, for example, several international and non-governmental organizations that were deeply involved

Guatemalan returnees in a Playa Grande health clinic furnished with equipment provided under a UNHCR Quick Impact Project.

in the CIREFCA process supported programs at Chaculá and sent representatives there to check on progress. The continuing international interest and presence has contributed to an easing of tensions between the military and the returnees.

"It has really made a difference in the security situation here," said Samaniego. "The mere presence of internationals here gives these people peace of mind."

In the remote region of Ixcán, nearly 1,900 Guatemalan families have returned home to a cooperative farm founded in the 1960s by an American Maryknoll priest. Most of the families had fled fighting in 1982, and only about one-third of the original population has so far returned from Mexico. Security remains a concern among the Ixcán returnees, even with the international presence of UNHCR and other agencies.

On 26 October 1994, for example, residents said a returnee who had gone to bathe in a river near the Ixcán settlement of Veracruz ►

► disappeared. His bruised and bound body was found the next day, an iron bar driven through his stomach, they said. Other returnees allege they have been harassed by the military, and say they have been falsely accused of supporting leftist guerrillas.

"We don't want to deal with the guerrillas and we don't want to go to the military, either," said one returnee. "We just want to get on with our lives. We depend on the international community, international pressure and UNHCR for protection. There is a dialogue beginning between the government and the guerrillas, but we still want the international community to stick around until it is safe for us."

Unfortunately, many of the returnees arrived back home to find their land occupied by others, a problem that remains unsolved for some 400 families in Ixcán, and many others throughout the country.

Despite these concerns, the returnees say they are in a much better position than before their forced

over the past decade with help from UNHCR and CIREFCA. In all, more than 700,000 Salvadorians were displaced by 12 years of bloody civil war that cost tens of thousands of lives and devastated the nation. Most of the displaced remained within the borders of El Salvador, and the rest fled to neighboring countries.

The reintegration of the returnees is especially impressive in Segundo Montes, where some 8,400 former refugees and 2,000 displaced people have built a thriving community on 21 square kilometers of formerly unoccupied mountain land. The returnees, most of whom spent their years in exile in Honduras, are highly organized and extremely proud of several internationally supported income-generating projects, including a pig farm, dairy, radio station, bakery, metal shop and shoe, clothing and furniture factories.

"When we started, 99 percent of these people were peasants without any other skills besides farming," said community leader Walter Antonio Alvarez, who is in charge

up after 15 years to demand what the returnees say are exorbitant prices for their land.

Alvarez and former guerrilla Juan Antonio Reyes, a foreman in the furniture factory, agreed that CIREFCA has helped El Salvador and its people. But they also stress that many of the basic causes of the long conflict in their country remain unresolved — including the land problem.

"The armed struggle had its time, and it had its effect," said Reyes, who lost a brother in the war and who was himself wounded seven times. "Now it has to stop. But the struggle of the people continues. We have gone from fighting in the trenches to fighting for development."

"The reason we fought the war was the unjust distribution of land," added Rosa Elia Argueta, president of the Segundo Montes Community Association. "If we don't get our own land, what was the war for? The government has to come to terms with it, because we are not going to move again."

In Belize and Costa Rica, government policies aimed at local integration are bringing benefits to refugees and local people alike. A November 1992 government decree in Costa Rica gave all refugees an opportunity to obtain permanent residency. Some 10,000 of them — out of 25,000 remaining refugees and 80,000 other uprooted people — have taken advantage of the offer.

"We had to stretch our blanket and add water to the soup to help these people," said Costa Rican President, José María Figueres Olsen.

"But my personal opinion is that Costa Rica has benefitted very much in the past from the different immigrants we have received from all corners of the continent. Costa Rica has always been famous for its open-door policy. Many of our brothers and sisters from all over Latin America have come to live with us for one reason or another. And by coming here, they have in fact made our country richer..."

Among the refugees who have accepted Costa Rica's hospitality — and who are making a real contri-

**"The armed struggle had its time,
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flight from Guatemala in the 1980s. And they attribute their improved situation in large part to CIREFCA-supported education programs provided to Guatemalan refugees during their time in Mexico.

"Before we went to Mexico, we had no rights. There was no respect for the people; we were ignored," said Veracruz returnee Viviano González. "Then in Mexico, we learned there was a constitution and that everyone has rights under it. That's why we now have permanent commissions that stand up for our rights."

That same confidence is evident among the 31,000 Salvadorians who have returned to their homeland

of the income-generating projects at Segundo Montes.

"We don't have enough land for everyone here, so we're trying to teach them new skills through on-the-job training, but it hasn't been easy." Pointing to a stack of crude wooden coffins gathering dust in a dark corner of the furniture factory, Alvarez added with a smile: "When we first started, a lot of the things we made were very ugly, like these caskets here. They were so ugly, people refused to be buried in them."

But the small industries and agricultural projects at Segundo Montes are thriving today, so much so that absentee landlords have now turned

bution to their new country — is 29-year-old Yeril Aráuz of the San José suburb of San Miguel. Aráuz, who has built a successful welding shop from a small loan provided by UNHCR in 1986, fled Nicaragua to Costa Rica in 1984.

"UNHCR gave me a welding machine in 1984 and I started my business by going door-to-door, pulling the welder on a wagon," Aráuz said. "Then I got a bicycle to pull the wagon. Then, as my business grew, UNHCR provided a small loan so I could build this house."

The 15-year housing loans, made in cooperation with the government National Mortgage Bank, average about \$3,500 per home. The \$2.5 million program, which is partly funded with money from the European Community and individual governments, also provides loans to refugees and low-income Costa Ricans who want to start small enterprises — all part of a strategy of long-term integration and support for the local economy.

Today, Aráuz is married with two children and has built a comfortable home and adjacent welding shop employing six people. He has discarded his old bicycle for a pickup truck and is seeking another loan to expand his business.

"This is proof that what you do for refugees really helps us to help ourselves," Aráuz said as he gestured toward his busy shop and home.

President Figueres, who has watched the CIREFCA process from the beginning, says he is "very bullish" about the future of Central America.

"We have come over the hurdle, and peace and democracy are here in the region to stay," he said during a recent interview. "But it still needs to go through a process of consolidation, which means many things. It means the strengthening of democratic institutions. It means a lot of social investment in programs to improve the quality of life. And it means trade opportunities and access to important markets so we can build production and stimulate overall economic growth."



President Figueres says CIREFCA can provide some valuable lessons for future regional solutions to the problems of refugees and the displaced. But he also cautions that each case is different and may require different approaches.

"I think there are a lot of positive experiences in the way the problem was dealt with in our Central American region," he said. "But one must be careful when trying to extrapolate from this experience and trying to adapt it to other regions of the world... To begin with, in Central America, we have shared values for generations. We have a shared language and we have a shared religion. And to a certain extent, we have shared political values. So there is a lot in common... Now if those conditions exist in other parts of the world, the experience is transferable."

Dessalegn Chefeke, director of UNHCR's Regional Bureau for the Americas and Caribbean, agreed that all of the elements which contributed to CIREFCA's success may not be present in other regions. "We think CIREFCA should be viewed not so much as a model, but as a prototype," Chefeke said, noting that the entire process is being carefully evaluated by the United Nations to determine what aspects can be applied to other programs elsewhere in the world.

A lumber mill operated by returnees in Nicaragua.

"We know that the real success of CIREFCA is due to the commitment of Central American leaders, who finally said enough is enough and decided to work together for peace and development," he said. "So first and foremost, there was this political will."

Other crucial elements for success were the support given by donor countries and the cooperative efforts of U.N. agencies like UNDP and UNHCR, as well as NGOs and government bodies.

And what is the most important lesson of CIREFCA?

"Two words: peace and development," Chefeke said. "It sounds obvious, but CIREFCA is living proof that you can't have one without the other. There is no way you can have peace if there is no development, and there's no way you can have development if there's no peace. They have to be viewed as two sides of the same coin."

RON REDMOND

The Cartagena Declaration: A decade of progress

Editor's note: Following are excerpts from a statement delivered by U.N. Deputy High Commissioner for Refugees Gerald Walzer in San José, Costa Rica, on 5 December 1994, to mark the 10th anniversary of the Cartagena Declaration on Refugees.

A decade ago, representatives of 10 Latin American governments and experts from 12 countries came together in Cartagena de Indias, Colombia, for a colloquium on the International Protection of Refugees in Central America, Mexico and Panama. They laid out a remarkable conceptual framework for refugee protection.

The foundation on which "Cartagena" was built remains the 1951 Convention relating to the Status of Refugees and the 1967 Protocol — the international refugee treaties of global scope. Those treaties have proved to be solid, yet flexible, affording international protection to millions of refugees throughout the world who have been forced to flee their homes, land, treasured possessions, the ability to work, and — perhaps most tragic of all — their families and friends.

But the Cartagena Declaration was part of an enlightened trend toward expanding the availability of international protection and humanitarian assistance. While deserving of protection and assistance, victims of armed conflict and human rights abuses had not always been included by States that apply the literal terms of the 1951 Convention and 1967 Protocol.

By expanding on those universal refugee instruments, the 1984 Colloquium at Cartagena elaborated a complementary and farsighted vision of refugee protection designed to meet the specific needs of the people of Central America. This vision

was informed by relevant precedents in the region, including the work of the Inter-American Commission on Human Rights, and by experience in Africa — where, 15 years earlier, the Organization of African Unity had adopted an expanded refugee definition to address the particular needs of people who had become refugees as a result of decolonization, struggles for national liberation, and the creation of new states. The OAU explicitly protected a wider group of refugees, including those fleeing armed conflict and civil strife.

Cartagena extended its definition of a refugee in Central America to people threatened by generalized violence, foreign aggression and internal conflicts — and, most remarkably, to those fleeing "massive violation of human rights".

The impact of Cartagena has reverberated beyond the borders of Latin America. Countries that may not have yet formally endorsed the Cartagena Declaration have nevertheless been influenced by it in building humanitarian responses to other mass influxes, such as the recent large outflows of "boat-people" in the Caribbean.

Cartagena was fashioned against the backdrop of the severe crises in southern Latin America in the 1970s, and it was crucial to solving the huge and complex web of displacement in Central America during the 1980s. Almost 2 million people from El Salvador, Guatemala and Nicaragua were displaced during this period. Some 200,000 Central Americans were formally recognized and regis-

tered as refugees. Many others in similar situations had not crossed international borders but were displaced within their own countries.

But the region was not without hope or resources. Cartagena had set out the legal groundwork for resolving the problem of refugees. And in 1987, the leaders of the five countries of Central America boldly decided to chart a new course. In signing the Esquipulas II accords, the five Central American presidents, demonstrating pragmatism and vision, tied their pursuit of political settlements to solutions to displacement and to economic and social development plans for alleviating the poverty, landlessness, and social exclusion that were at the roots of the conflicts. Out of the political commitment at Esquipulas emerged the International Conference on Central American Refugees, known as CIREFCA.

The inclusiveness of the Cartagena Declaration and the comprehensiveness of CIREFCA greatly contributed to improving stability in Central America. One of the central features of these instruments was their emphasis on the pursuit of effective and lasting solutions to refugee displacement as a means for creating peace.

Latin America has much to teach the rest of the world about protection, and about solutions to the problem of refugees. Some have described the 1980s as a "lost decade" for the people of Central America. Let us hope that history judges the 1990s as the decade in which all of Central America achieved peace. Let it be the decade in which Latin America and the Caribbean teach the rest of the world how to consolidate peace and democracy — so that we may move closer to closing the final chapter on refugees and forced displacement. ■



A right to education, health care and a decent home: asylum-seekers from Bosnia-Herzegovina in Copenhagen.

How long is temporary?

A single mother of four small children flees a Muslim town in Bosnia after neighboring villages are burned to the ground by murderers bent on ethnic cleansing. An elderly Croatian couple leaves after a group of Krajina Serbs cuts off access to their fields nearby. Neither family has been targeted for individual attack. Both make their way abroad. They need assistance. They need protection. But are they refugees?

The refugee's defining characteristic is, of course, "a well-founded fear of persecution." But for many people fleeing former Yugoslavia, that resounding phrase is not enough. In many Western countries, increasingly restrictive interpretations of the 1951 Convention Relating to the Status of Refugees have narrowed the bedrock definition. Most African and Latin American countries have ratified more generous legal instruments that explicitly give protection and assistance to people fleeing war, civil strife or violations of

human rights. But in Western Europe and North America some countries restrict refugee status to those who fear being singled out for individual persecution by their government.

People fleeing the horrific violence and abuse prevalent in the shattered states of former Yugoslavia ought, by any human standards, to have access to asylum. But many of them fear various kinds of persecution at the hands of one or more parties to that many-sided conflict — not at the hands of the legal authorities. Others may be fleeing the war's indiscriminate destruction of homes, harvests, and means for recourse. The restrictive interpretations of many Western governments mean that hundreds of thousands of them have no claim to legal status as refugees.

"This whittling away at the Convention is absolutely deadly," comments Karin Landgren, UNHCR's General Legal Advice Coordinator. "[Governments ask] were they really compelled to leave the country? Was there an internal flight option?

Was the agent of persecution the legal government or some other authority? And as a result you have a Muslim woman who has been raped, who has fled to a Western European country, but who is issued a deportation order because she is allegedly not a refugee."

Facing the prospect of asylum being denied to people clearly in need, UNHCR called in 1992 for countries to institute a swifter, more flexible approach. The concept of temporary protection bypassed the need for individual scrutiny under cumbersome and restrictive eligibility procedures. It gave protection to broad categories of persons in urgent need. Conceived as one element in a comprehensive approach that would include efforts to solve the conflict and enable safe return, temporary protection encompasses admission of victims of war and violence; *non-refoulement*, or non-return to danger; humanitarian treatment; and repatriation when conditions in the countries of origin ►

► significantly improve. In other words, temporary protection was originally seen as an emergency measure of short duration, to provide mass inflows of people with a kind of *prima facie* recognition and a more limited range of benefits.

From Belgium to Bulgaria, the reality of these arrangements varied hugely. Some beneficiaries of temporary protection had almost all the rights given refugees. Others were not permitted to work. In some countries, the temporarily protected had no access to education, or social benefits, or family reunion. They were parked in hostels or camps, knowing their status was only provisional.

"The crucial word is temporary," explains Pascale Moreau, a desk officer for Central Europe. "We didn't, in any case, have a choice. But even many of the refugees wanted a temporary solution: they were committed to going home as soon as possible."

That was 1992. By now, in 1995, many refugees from former Yugoslavia have spent three years in exile. Though some states have moved towards regularizing and improving the situation of beneficiaries of

country resettlement. They would also like to see UNHCR advocate new international legal agreements to bridge the Convention's gaps.

"For how long should people go without the prospect of a solution to their need for new, permanent home?" asks Arthur Helton, Director of Migration Programs at the Open Society Institute, a U.S. research and advocacy group on refugee issues. "I think six months might be appropriate. But for some of the former Yugoslavs, who have sought refuge for several years, temporary protection is becoming an undue deprivation."

"When the time period is relatively short and the motivations of governments are benign, clearly temporary protection can be an extension of protection," Helton continues. "But it is tempting for governments to provide lesser forms of protection solutions to foreigners in the current political climate. If temporary protection is used to undercut the available protection regime, or where the period of temporary arrangements becomes extended, then those individuals are suffering a contravention to their human rights as refugees. UNHCR should provide leadership and begin

large enough for everyone? Maybe we need to change the way governments choose to interpret it, not change the Convention itself."

"We should be encouraging states to a more liberal application of refugee status — and, indeed, of cessation, as well," echoes Raymond Hall, Chief of Secretariat at UNHCR. "Temporary protection can be an acceptable and even the most appropriate short-term arrangement in response to flight from conflict. But its legal content is not well defined. If states granting asylum under the Convention feel refugees will never go home irrespective of change for the better in their country of origin, there is a danger that they will resort to temporary, *ad hoc* arrangements that undermine the quality of asylum and jeopardize fundamental human rights. Thus the need to use the Convention, including its cessation clauses, more flexibly. But if you offer to renegotiate the Convention, then you risk throwing out the baby with the bathwater — you could lose the Convention and come up with something much weaker."

Meanwhile, for many refugees, the strain of waiting is beginning to tell. "People have lived in the hope that something would happen," explains Moreau. "They thought the war would end and they could go home quickly — and now they're becoming discouraged. They've been too long in limbo."

In the Slovak Republic, 2,000 ex-Yugoslavs benefit from temporary protection, but have no right to work. Many simply sit around all day drinking, says Vincent Cochetel, UNHCR's liaison officer. Their depression is chronic. Explains Slovak psychologist Lydia Zakova, "You don't need to have experienced war to go crazy after three years doing nothing."

The exile of the former Yugoslavs no longer seems so temporary. With their country in splinters and their lives awry, they badly need more generous support.

"Human dignity demands that after three years, these people get the right to work and to send their children to school."

temporary protection, others have not. With some refugee children in Central Europe still not attending school or benefiting from proper housing, UNHCR is urging governments to initiate improvements.

"Now is the time to move on to a second stage," says Ulrich von Blumenthal, head of the Western and Northern Europe desk. "We have to give them a more secure status, with rights similar to those of refugees. Human dignity demands that after three years, they get the right to work and to send their children to school."

Many NGOs feel UNHCR should push harder for durable solutions for the temporarily protected, whether it be local integration or third-

country resettlement, starting at regional levels."

Many in UNHCR fear there is little likelihood that the 1951 Convention can be significantly expanded in the xenophobic climate of the 1990s. "Anything negotiated now will be worse," comments Landgren. "There is no reason why the Convention cannot be used for short-term protection. The main issue that needs to be addressed is this: do refugees from indiscriminate war inherently require less, or different, protection than victims of persecution? Is there a group of people that requires a different type of protection than that provided under the Convention? Or is the Convention

RUTH MARSHALL

One step at a time in Rwanda

A meeting held in Burundi in February was yet another attempt by the international community to resolve a long-simmering conflict in a tiny region of Africa that has produced the world's largest group of refugees.

One result of the meeting — sponsored by the Organization of African Unity and the United Nations High Commissioner for Refugees — was a commitment to set the stage for the voluntary repatriation of both Rwandese and Burundi refugees to their homelands.

At first appearance, it seems a modest objective. But it is a crucial first step in what will certainly be a very long and complicated process. The camps that now hold millions of refugees in the region are so inhospitable that there is an urgent need to safely and voluntarily return as many as possible to their original homes, thus ending their agony.

The civil war that erupted in Rwanda last April claimed over 500,000 lives and forced more than a third of the country's 7.3 million people from their homes. More than 2.1 million Rwandese sought asylum in neighboring countries, joining over 1 million others who had fled ethnic bloodletting years earlier.

There also are 220,000 refugees from Burundi in neighboring countries. They include remnants of the 700,000 Burundi refugees who escaped a failed coup attempt in October 1993 that left more than 50,000 dead. And some are victims of more recent unrest in Burundi.

The problems are so huge that most observers agree they can only be dealt with in a regional context.

Looking beyond the return plans, another meeting is to be called soon by the United Nations to try and

tackle the root causes of the conflicts involving the majority Hutu and minority Tutsi peoples in both Rwanda and Burundi.

It will not be easy. Commentators say the problems of Rwanda and Burundi are extremely complex, and reject suggestions that they stem simply from ethnicity. In Rwanda, for example, divisions exist among the Hutus themselves, including the more privileged Hutu of the north and their neglected kin in the south.

Animosities between ethnic groups are sometimes so deep-seated that even Rwandese children harbor thoughts of murder.

"I have heard 10-year-old children talk of killing their neighbors when they grow up," said Blaise Cherif, UNHCR's senior legal adviser for Africa. "You then realize how serious the antagonisms are," added Cherif, who served as UNHCR representative in Burundi and Zaire in the early 1980s.

The violence that engulfed the two central African countries in the last two years provoked much outrage and soul-searching. Some criticism was laid at the U.N.'s doorstep, particularly for its perceived failure to act decisively to prevent the carnage in Rwanda at a critical time.

Regional efforts to resolve the conflicts in central Africa have been ongoing since the 1960s, initiated by front-line countries burdened with refugees. Under the auspices of the OAU, the Tanzanian government facilitated peace talks between the Rwandese government and the Rwanda Patriotic Front at the turn of the decade.

And on 4 August 1993, a power-sharing agreement was signed in Arusha, Tanzania. Known as the Arusha Accords, the documents are still recognized by the new government in Kigali as a basis for settling the

various outstanding issues that have torn Rwanda apart. The accords envisioned a broad-based transitional government, integration of the warring armies and repatriation and resettlement.

Following adoption of the accords, the United Nations sent peacekeepers to monitor observance. UNHCR had even begun planning for repatriation when on 6 April 1994, a plane carrying the presidents of Rwanda and Burundi was shot down near Kigali, killing both leaders and sparking the horrific civil war in Rwanda. Ironically, the two slain leaders had just attended a conference in Dar Es Salaam to try and expand the Arusha peace process to cover Burundi.

But efforts for a lasting peace continue. In June 1994, the OAU Council of Ministers proposed a regional conference on assistance to refugees, returnees and displaced persons in the Great Lakes Region. The project was endorsed by the U.N. General Assembly. The OAU and UNHCR called the conference in Bujumbura 15-18 February after a preparatory meeting in Addis Ababa in January. Before the conference, U.N. High Commissioner for Refugees Sadako Ogata traveled in the region to drum up support for the project.

At an earlier, informal meeting of UNHCR's Executive Committee on 17 January, Mrs. Ogata outlined the steps her Office had taken to meet the challenges in Rwanda. But, she stressed, "if solutions are to be found for the Rwanda refugee crisis, wholehearted support of the international community will be required to attain a more stable and secure environment in Rwanda."

Later that same week, at a UNDP-sponsored conference on Rwanda, the Rwandese government received pledges of financial support from major donor countries for its reconstruction programs. Without these resources to rebuild its infrastructure, U.N. officials have warned that Rwanda faces the specter of further chaos and anarchy.

FERNANDO DEL MUNDO



UNHCR / P. MUGISHA

Leaders of the fallen ►
Rwandese government try
to maintain control over
the refugees, like this
wounded woman in
Mugunga camp, Zaire,
through terrorism and
intimidation.

▼ Kibumba camp is home
to more than a third
of the 743,000 Rwandese
refugees in the Goma
area of Zaire.



UNHCR / B. POISSON

◀ More than 200,000
Rwandese refugees
flooded into Tanzania
after war broke out in
Rwanda.

▼ Cholera killed thousands
of refugees in Zaire. At
Munigi camp, workers
had difficulty burying the
dead in volcanic rock.



UNHCR / A. BERNARD

Bridge over troubled waters

**At a way station
in the southern Rwanda
town of Butare, Canadian
UNAMIR soldiers and
relief workers help
displaced people return
home.**



UNHCR / A. HODGSON



UNHCR / T. LODGE

**After five months at
a refugee camp
in Zaire, this woman
returned to her home
in Gisenyi, just
across the border
from Goma.**



UNHCR / A. HODGSON

In the crowded camps of Tanzania, Rwandese refugees are now talking openly of returning to the homeland they fled a year ago in an exodus described as being of biblical proportions.

Until recently, such talk could have cost them their lives. In eastern Zaire, the refugees have become so emboldened that repatriation convoys are now being organized from the camps. A few months ago, such moves would have sent extremist followers of the defeated government into a frenzy.

Hopeful signs of increasing stability have emerged in Rwanda, enough to begin drawing refugees home. The increasing presence of United Nations observers and human rights monitors is building confidence in the future. Pledges of financial aid to the Kigali government add to that optimism.

Asylum countries in the Great Lakes region of Central Africa have led the move to help Rwanda get back on its feet and bring home some 2 million Rwandese refugees practically kept hostage by extremist groups. The initiative by Rwanda's neighbors has the support of the international community, which is seeking practical measures toward reconciliation and repatriation. The ultimate goal is to prevent a repetition of one of the world's worst humanitarian tragedies, illustrated by these photos.

Starting from scratch

In mid-January, when a UNHCR assessment mission and two plane-loads of relief items touched down in North Ossetia (one of the autonomous republics bordering Chechnya), the Russian Federation became the fifth former Soviet republic since December 1992 to invite and receive UNHCR assistance during a major conflict. The others were Armenia, Azerbaijan, Georgia — all of which, like Chechnya, are in the Caucasus — and Tajikistan, in Central Asia.

All of these conflicts have resulted in massive destruction and dis-

placement. Taking into account the 400,000 people displaced by the fighting in Chechnya by the end of January, more than 2.6 million people in total have been driven from their homes since the first of these conflicts — the war between Armenia and Azerbaijan — broke out in 1988.

And that is not the whole story: smaller violent displacements from Uzbekistan, Kyrgyzstan, the Trans-Dniestr region of Moldova, and North Ossetia itself take the total close to the 3 million mark.

Add in the millions of people who, since the disintegration of the Soviet Union, have either left the region altogether, transited it (usually heading west), or moved from one republic to another, and you have a regional movement of peoples that in terms of size, speed and complexity is unmatched in recent history.

If ever a comprehensive regional

approach has been desperately needed, it is in the CIS countries, the Baltic States and neighboring nations directly affected by the aftershocks of the crash of the Soviet empire. At the beginning of 1994, the Russian Federation signaled the growing concern in the region by proposing in the U.N. General Assembly that there should be a global conference dedicated to refugees, displacement and migration issues.

UNHCR, in line with its general policy of promoting regional solutions to complicated refugee problems, also began taking soundings about a major regional conference in early 1994. The International Organization for Migration (IOM), a non-U.N. inter-governmental body, was an obvious choice as partner to help lobby for and organize the conference process, as was the Organization for Security and Cooperation in Europe (OSCE) which is also now on board.

The organizers are determined that the conference process will not lead to a paper mountain inscribed with empty words. Instead, they are aiming for a set of agreed principles, and — more important still — a firm plan of action based on those principles.

Director of Policy Planning and Operation Sergio Vieira de Mello has overall responsibility within UNHCR for the regional conference. He stresses that the conference — assuming it happens — is part of a much wider process: "The conference is not an end in itself, though it will be an important landmark," he says. "If all goes well, it will also be the start of a new process that will involve the active implementation of the plan of action."

The first preliminary gathering of 16 interested governments took place in Geneva in December 1994. By the time a second meeting took place on 20 January, the number of governments in attendance had swelled to 32, and a strong sense of momentum had already been

A displaced woman from Grozny and her child at a UNHCR-assisted accommodation center in Ingushetia.



created. At that meeting it was agreed that the third step should involve a series of regional consultations to be held in February or early March. These consultations would concentrate on helping governments to gather more detailed and precise data about refugees, displaced people and other migrants who have moved to and from their territory, as well as information about the causes and effects of such movements. The results of this data-gathering exercise will then be consolidated and built upon during an "experts meeting" provisionally scheduled to take place at the end of March. If the momentum is maintained, the main conference could take place in late 1995.

Thus already, after the first two meetings, the fundamental nature of the process had altered: instead of remaining a UNHCR-driven initiative it is well on the way to becoming a fully-fledged participatory process involving governments and, hopefully, other international agencies — including financial and development institutions — and NGOs.

The objectives are both wide-ranging and ambitious: as well as concentrating on refugees, forcibly displaced people and other categories of migrant, the conference is likely to focus on other major issues related to displacement, including the crucial questions of institution building, and the advancement and harmonization of national asylum

and immigration laws. The conference will also probably not be confined to the CIS and the Baltic States. Some Central European countries, for example, have expressed a strong interest in the question of transit migrants (including refugees) who cross their territories, and West European countries have an obvious interest in taking an active part in a process designed to prevent, or at least find coherent solutions to,

the issues are already very active in the region, and are linked to a very precarious geopolitical situation — particularly with regard to the southern borders with Afghanistan."

Nobody is under any illusions about the extent of the challenge. Successful regional responses, such as CIREFCA and the 1969 Organization of African Unity (OAU) Convention, were built on an extensive body of existing laws, conventions

Organizers want the conference to lead to a firm plan of action, rather than a worthless paper mountain.

refugee and other migratory flows.

The outcome of the consultations and meetings tentatively scheduled for the first few months of 1995 will be crucial. Not only will they determine the shape and ultimate effectiveness of the conference process itself, they will also — potentially — form the basis for a wider and ongoing dialogue between governments and international agencies (as happened during the CIREFCA process in Latin America, which is widely credited with playing a key role in helping to bring stability to Central America).

Jean-Marie Fakhouri, director of the UNHCR regional bureau covering the Central Asian states, underlines the significance of the proposed conference: "It is extremely important for Central Asia: a number of

and agreements, and lengthy experience in the international arena. As director of UNHCR's Europe bureau, John Horekens, points out, the same conditions do not apply to most of the countries that were hidden behind the Iron Curtain. "It's very ambitious," he says of the conference's wide-ranging objectives. "Whereas African countries have dealt with the United Nations for the last 30, 40 or 50 years, many of the countries we are trying to involve in this process have very little experience of dealing with organizations like UNHCR. Similarly we have no experience in that part of the world. The system is full of gaping holes. It is imperative that we succeed in plugging them as soon as possible."

RUPERT COVILLE

The North Caucasus

A volatile ethnic mix

Veteran UNHCR field officer Larry Hollingworth has seen it all — from brutal "ethnic cleansing" in Bosnia to the plight of starving refugees in the Horn of Africa.

But even Hollingworth, part of a new UNHCR team in the North Caucasus, was deeply moved by his first look at displaced people fleeing the bloody conflict in Chechnya.

"Several Russian trucks arrived in freezing weather, carrying dozens of elderly people who had just been evacuated from Grozny," Hollingworth recalled of his first trip in mid-January to Ingushetia, Chechnya's neighbor republic to the west. "Most of them were elderly and had been living in dark, damp cellars for several weeks. They were so weak they had to be lifted off the trucks and

literally carried into the reception center. They said they hadn't eaten for four days."

Hollingworth was part of a 10-member UNHCR/Department of Humanitarian Affairs (DHA) mission sent to the North Caucasus on 11 January at the request of the Russian Federation and the U.N. Secretary-General. Their mission: to assess the needs of more than ►

► 160,000 people forced to flee Chechnya to the neighboring autonomous republics of Ingushetia, North Ossetia and Daghestan.

As a result of the mission, the United Nations on 1 February issued an inter-agency "flash" appeal for nearly \$24 million to cover a three-month aid program in the region. Five days later, a 14-member UNHCR operations team arrived to take over from the assessment mission and begin actual implementation of the program. UNHCR's portion of the appeal is \$10 million. Other U.N. agencies involved are UNICEF, the World Food Program and the World Health Organization.

Another member of the UNHCR assessment mission, Bohdan Nahaylo, says the conflict in Chechnya underscores the urgency of international efforts to find a comprehensive approach to the problems of refugees and displaced in the former Soviet Union and Baltic States (see page 28). Nahaylo says this is especially true in the Caucasus, which he describes as "a volatile ethnic patchwork" stretching from the Black Sea to the Caspian Sea.

"This confrontation is likely to exacerbate the already worrying situation as regards the large-scale population displacement problems in the region," said Nahaylo, UNHCR's senior adviser on the former Soviet Union. "Problems connected with population displacement in the Caucasus region are very interconnected and require a comprehensive approach."

UNHCR already had a presence in the southern Caucasus region, where some 1.5 million people have been forced to flee fighting in Georgia, Armenia and Azerbaijan. As plans move ahead to forge a consensus on a regional approach to all of these problems, UNHCR is carrying out its new three-month program in the North Caucasus in coordination with Emercom, the Russian emergency agency, and the Federal Migration Service (FMS), which is registering the displaced. It is also coordinating with the International Committee of the Red Cross, which works

inside Chechnya, and with the International Organization for Migration.

Despite initial problems with access, freedom of movement and coordination with central authorities, the UNHCR program is beginning to make a difference. By early February, UNHCR had flown more than 130 metric tons of supplies to the region, and more was on the way.

Hashim Utkan, deputy director of UNHCR's Regional Bureau for Europe, said the plan is to bolster the existing Russian humanitarian system rather than create a new, parallel program. Utkan noted that UNHCR has previously worked with Emercom in former Yugoslavia and in Africa, and is aware of its professionalism. However, its resources are being stretched in the Caucasus.

**"They told their stories
with emotion
and tears, but they all
wish to return."**

"We don't want to duplicate what they're already doing, but to strengthen the existing structures," Utkan said. "That way, it will be much easier for us to withdraw when the time is right."

To assist the Russian aid effort, UNHCR will provide more trucks for Emercom, and computer, communications and office equipment for FMS.

The U.N. program is aimed at providing assistance to at least 90,000 displaced people in Chechnya, 65,000 in Daghestan and 5,000 in North Ossetia.

The assessment team noted that as many as 95 percent of the displaced have found at least temporary shelter with host families. But it is unlikely this hospitality can go on for long; some houses are crammed with as many as 50 people and host families are going to quickly run out of food and other essentials.

Other displaced people are being temporarily housed in rail carriages, sports halls and other public buildings.

The percentage of women, children and elderly among the displaced is even higher than the 75 percent usually found in refugee populations. This has resulted in a particularly vulnerable population whose plight is made even worse by harsh winter weather. Moreover, many of the displaced fled with nothing but the clothes on their backs, and reported losing their homes and everything in them. The sense of loss and separation has left tens of thousands of people materially and psychologically destitute.

Food needs are particularly acute in Daghestan and Ingushetia, where each displaced family — averaging about four people — will receive three 20-kg food parcels over the three-month period. In Daghestan, regular supplies of food and other essentials began dwindling in December because the fighting in Chechnya severed the main rail and road links into the republic from the rest of Russia. And in Ingushetia, residents were already struggling to care for an earlier displaced population of nearly 50,000 people who fled there during the Ingush-Ossetian conflict of 1992. Thus, nearly half of the present population of Ingushetia are displaced people from North Ossetia or Chechnya.

Hollingworth, describing a recent visit to displaced people in Khasav-yurt, Daghestan, says the needs are enormous. But despite all the horrors they left behind in Chechnya, nearly all of the displaced — Russians and ethnic Chechens — want to go home again.

"In most homes there was an average of 26 persons per room," Hollingworth said. "More than 60 percent of the displaced were children. The displaced all requested clothing and food. They told their stories with emotion and tears, but they all wished to return."

RON REDMOND

UNHCR and the world's 23 million refugees would like to thank those who have contributed so generously. Among the thousands who reached deep into their pockets were:

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HOW DOES IT FEEL?

Imagine this.

You've lived all your life at peace. Home, family, friends, all normal. Then, without warning, your whole world changes.

Overnight, lifelong neighbours become lifelong enemies. Tanks crowd the streets and buses burn. Mortar shells shatter the mosques. Rockets silence the church bells.

Suddenly everything you've known and owned and loved has gone and, if you're lucky enough to survive, you find yourself alone and bewildered in a foreign land. You are a refugee.

How does it feel?

The fact is, refugees are just like you and me, except that they have nothing. And that's exactly what they'll always have unless we help.

We're not asking for money (though every contribution helps), but only this:

When you do meet a refugee, imagine for a moment what it must be like, and then show her your smile. Instead of your back.

It may not seem much. But to a refugee it can mean everything.

UNHCR is a strictly humanitarian organization funded only by voluntary contributions. Currently it is responsible for more than 23 million refugees around the world.



UNHCR

United Nations High Commissioner for Refugees

Models courtesy of the Lego Group

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